

Form B9A (Chapter 7 Individual or Joint Debtor No Asset Case)

Case Number **09-10188**

UNITED STATES BANKRUPTCY COURT
District of South Dakota

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 8/24/09 .

You may be a creditor of the debtor(s). **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or online using CM/ECF (contact the clerk's office for more information regarding CM/ECF). NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

Debtor(s):

Keith Allen Tulowetzke
925 S. 10th St.
Aberdeen, SD 57401

Case Number:

09-10188

Social Security/Taxpayer ID Numbers:

xxx-xx-4899

Attorney for Debtor(s):

Thomas M. Tobin
PO Box 1456
Aberdeen, SD 57402-1456
Telephone number: (605) 225-1000

Bankruptcy Trustee:

Forrest C. Allred
14 Second Ave SE Ste 200
Aberdeen, SD 57401
Telephone number: 605-225-3933

Meeting of Creditors:

Date: **October 1, 2009**Time: **08:30 AM**Location: **115 4th Ave SE, Rm 206-7, Federal Building, Aberdeen, SD 57401**

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

The presumption of abuse does not arise.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

To File a Complaint Objecting to Discharge of Debtor(s) or to Determine Dischargeability of Certain Debts:
11/30/09

To Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor(s) and the property of the debtor(s). Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor(s) can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult an attorney to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Foreign Creditors

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:

225 S. Pierre St., Room 203
Pierre, SD 57501-2463
Telephone number: 605-945-4460
www.sdb.uscourts.gov

For the Court:

Frederick M. Entwistle
Clerk of the Bankruptcy Court

Hours Open: Monday – Friday 8:00 AM – 5:00 PM

Date: 8/24/09

SEE OTHER SIDE FOR IMPORTANT EXPLANATIONS.

EXPLANATIONS

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor(s) by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor(s); repossessing property of the debtor(s); starting or continuing lawsuits or foreclosures; and garnishing or deducting from wages of the debtor(s). Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor(s) can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor(s) may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for doing so. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor(s) is (are) seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor(s). If you believe the debtor(s) is (are) not entitled to receive a discharge under Bankruptcy Code § 727(a) <i>or</i> that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of Debtor(s) <i>or</i> to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that deadline.
Exempt Property	The debtor(s) is (are) permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor(s) must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe an exemption claimed by the debtor(s) is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's(s') property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office. You may also review them online, using CM/ECF (contact the clerk's office for more information regarding CM/ECF).
Foreign Creditors	Consult an attorney familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
Debtor Identification	Important notice to individual debtors: All individual debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors. Failure to do so may result in the dismissal of your case.

— Refer to Other Side for Important Deadlines and Notices —

CERTIFICATE OF NOTICEDistrict/off: 0869-1
Case: 09-10188User: bdool
Form ID: b9aPage 1 of 1
Total Noticed: 29

Date Rcvd: Aug 24, 2009

The following entities were noticed by first class mail on Aug 26, 2009.

db +Keith Allen Tulowetzke, 925 S. 10th St., Aberdeen, SD 57401-5861
 aty Thomas M. Tobin, PO Box 1456, Aberdeen, SD 57402-1456
 tr +Forrest C. Allred, 14 Second Ave SE Ste 200, Aberdeen, SD 57401-4246
 ust Bruce J. Gering, 314 South Main Avenue, Suite 303, Sioux Falls, SD 57104-6462
 948695 +Aberdeen Family Physicians, 105 S. State St., Suite 113, Aberdeen, SD 57401-4502
 948696 Aberdeen Federal Credit Union, PO Box 1495, Aberdeen, SD 57402-1495
 948698 +Accounts Management, Inc., PO Box 1843, Sioux Falls, SD 57101-1843
 948699 +Avera Endoscopy Surgical Center, 310 S. Penn St., Suite 201, Aberdeen, SD 57401-4553
 948701 +Barnett Vision Center, LLP, 508 Moccasin Dr., Aberdeen, SD 57401-5059
 948702 Brown County Treasurer, Brown County Courthouse, Aberdeen, SD 57401
 948703 Cabela's Visa Center, Worlds Foremost Bank, PO Box 82609, Lincoln NE 68501-2609
 948704 +Casey's, 224 S. Dakota St., Aberdeen, SD 57401-4632
 948705 +Circus Sports Bar & Grill, 14 - 3rd Ave. SE, Aberdeen, SD 57401-4301
 948707 +DCI Credit Services, Drawer 1347, 1409 W. Villard, Dickinson, ND 58601-4649
 948706 +Dacotah Bank, 308 S. Main St., Aberdeen, SD 57401-4146
 948709 +ER Solutions, Inc., PO Box 9004, Renton, WA 98057-9004
 948710 +EZ Stop Food Mart, 421 S. Roosevelt St., Aberdeen, SD 57401-5210
 948711 +Great Plains Bank, PO Box 2140, Aberdeen, SD 57402-2140
 948712 Home Federal Bank, PO Box 5000, Sioux Falls, SD 57117-5000
 948713 Midwest Credits, Inc., PO Box 1088, Aberdeen, SD 57402-1088
 948714 Preferred Processing LLC, PO Box 1796, Aberdeen, SD 57402-1796
 948715 Robert E. Hayes, Attorney at Law, PO Box 1237, Pierre, SD 57501-1237
 948716 South Dakota Housing Development, PO Box 1237, Pierre, SD 57501-1237
 948717 +Stacie A. Toennies, 634 S. Wells, Aberdeen, SD 57401-6552
 948718 +Thatzza Pizza, 20 - 6th Ave. SW, Aberdeen, SD 57401-4162
 948719 Trac A Chec, Inc., PO Box 2764, Davenport, IA 52809-2764

The following entities were noticed by electronic transmission on Aug 24, 2009.

948697 +E-mail/Text: abdsurg@nvc.net Aberdeen Surgical Associates,
 310 S. Penn St, Ste 201, Aberdeen, SD 57401-4553
 948700 E-mail/Text: cheryl.majeske@averastlukes.org Avera St. Luke's Hospital,
 PO Box 4400, Aberdeen, SD 57402-4400
 948708 EDI: ESSL.COM Aug 24 2009 18:43:00 Dish Network, Dept 0063, Palatine, IL 60055-0063
 TOTAL: 3

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 26, 2009

Signature:

